

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 23476 of 2004

Between:

1. M. Sitarama Raju S/o Late Justice. M. Ramachandra Raju
r/o H. No. 6-3-1219/1/7, Street No.1, Umanagar, Begumpet,

Hyderabad

2 Smt. Bhupathi Raju Suryavathi W/o Late Bh. Ramachandra

Raju, r/o H. No. 6-3-1219/1/7, Street No.1, Umanagar,

Begumpet, Hyderabad

3 M. Ramachandra Raju S/o M. Sitarama Raju
r/o H. No. 6-3-1219/1/7, Street No.1, Umanagar, Begumpet,

Hyderabad

4 M. Suryanarayana Raju S/o M. Sitarama Raju
r/o H. No. 6-3-1219/1/7, Street No.1, Umanagar, Begumpet,

Hyderabad

... PETITIONERS

AND

1 The Collector, Ranga Reddy District

2 The Revenue Divisional Officer- cum- Land Reform Tribunal,

Chevella, Ranga Reddy District

3 The Mandal Revenue Officer, Moinabad Mandal, Ranga Reddy

District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the
circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue an appropriate Writ order or direction particularly a Writ in the nature of mandamus declaring the letter No. Ao/Ch/2961/75 dated 27-09-2002 issued by the Collector Ranga Reddy District the 1st respondent herein as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents herein not to effect the changes in the revenue records in respect of the lands over an extent of ac. 51-18Grs in Sy. Nos. 10,13,14,16 & 17 situated in Nagireddyguda Village, Moinabad Mandal, Ranga Reddy District and pass such other order or orders

Counsel for the Petitioners: MR.M.DHANANJAY REDDY

Counsel for the Respondent Nos 1 to 3.: GP FOR REVENUE

The Court made the following :

This writ petition is filed to declare the letter dated 27.9.2002 issued by the Collector, Ranga Reddy district, the 1st respondent herein as illegal, arbitrary and violative of the principles of natural justice and consequently to direct the respondents not to effect the changes in the revenue records in respect of the lands in an extent of Ac.51.19 guntas in S.Nos.10,13,14,16 and 17 situated in Nagireddyguda village, Moinabad Mandal, Ranga Reddy District.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue and at their request the matter is taken up for final disposal at the admission stage.

The case of the petitioners is that they are the absolute owners and possessors of the land in question having purchased the same through registered sale deeds. While so, the original land holder from whom the petitioners vendor purchased the lands in the year 1966 proposed to surrender the lands in question towards his excess holding. Pursuant to the same, the revenue authorities got issued a notice dated 16.1.1992 in Form No.8 under Rule 7(4) of the Act calling for objections on the ground that the land in question was also included in the surrender proceedings by the original owner. To the said notice, the petitioners have filed their objections by letter dated 4.3.1992.

The grievance of the petitioners is that though the primary tribunal has directed deletion of the lands of the petitioners from the extent of the original land holder, the 1st respondent herein has directed the Mandal Revenue Officer, the 3rd respondent herein to make necessary changes in the revenue records as the original owner who was declared as surplus holder has surrendered the lands in

question towards his excess land holding. Hence this writ petition.

Though the petitioners stated that the 1st respondent has directed the Mandal Revenue Officer to make necessary changes in the revenue record in respect of the lands of the petitioners by letter dated 27.9.2002, no such proceedings were placed before this Court. Prima facie, it appears that the present writ petition is filed on apprehension. This Court while exercising the jurisdiction under Article 226 of the Constitution of India cannot issue directions even without going through the orders alleged to have been passed by the 1st respondent. The writ petition is devoid of merits and it is accordingly dismissed.

However, it is clarified that as and when the respondents issue any orders affecting the interest of the petitioners, they are at liberty to challenge the same before the appropriate forum.

17..12..2004

msv.

To

- 1 The Collector, Ranga Reddy District
- 2 The Revenue Divisional Officer- cum- Land Reform Tribunal,
Chevella, Ranga Reddy District
- 3 The Mandal Revenue Officer, Moinabad Mandal, Ranga Reddy
District
4. 2 ccs to Govt. Pleader for Revenue, High Court of A.P.
Hyderabad (OUT)
5. 2 CD copies.